

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ANDRULIS PHARMACEUTICALS CORP.,:

Plaintiff,

v.

CELGENE CORP.,

Defendant.

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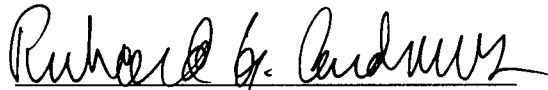
Civil Action No. 13-1644-RGA

ORDER

Defendant's request to file an early motion for partial summary judgment (D.I. 59) is **GRANTED.**¹ It seems to me there is a reasonable possibility that Plaintiff is estopped from asserting that lenalidomide can meet the claim limitations requiring thalidomide under the doctrine of equivalents.

Defendant should not file a separate motion for a stay of discovery. Recognizing that the granting of such a motion is discretionary, it will not be granted.

IT IS SO ORDERED this 6th day of February 2015.


United States District Judge

¹ The Court has considered D.I. 62 & 65 also.